


# **EXHIBIT 11**

Criminal Docket

Docket Number 1010CR000235

Jonathan G Monsarrat

|   |                     |   |   |   |  |  |                          |  |  |
|---|---------------------|---|---|---|--|--|--------------------------|--|--|
| <b>CRIMINAL DOCKET</b>  |                     | DOCKET NUMBER<br><b>1010CR000235</b>  |   | NO. OF COUNTS<br><b>2</b>                     |  | <b>Trial Court of Massachusetts<br/>District Court Department</b>        |                          |                 |  |
| DEFENDANT NAME AND ADDRESS<br><b>Jonathan G Monsarrat<br/>197 Summer Street<br/>Apt 1<br/>Somerville, MA</b>  |                     |   |   | DOB<br><b>10/14/1968</b>                      |  | GENDER<br><b>Male</b>  |                          | COURT NAME & ADDRESS<br><b>Somerville District Court<br/>175 Fellsway<br/>Somerville, MA 02145</b> |  |
|   |                     |   |   | DATE COMPLAINT ISSUED<br><b>02/01/2010</b>    |  |  |                          |  |  |
|   |                     |   |   | PRECOMPLAINT ARREST DATE<br><b>01/29/2010</b> |  |  |                          | INTERPRETER REQUIRED   |  |
| FIRST FIVE OFFENSE COUNTS   |                     |   |   |   |  |  |                          |  |  |
| COUNT   | CODE                | OFFENSE DESCRIPTION   |   |   |  |  |                          | OFFENSE DATE   |  |
| 1   | 138/34              | LIQUOR TO PERSON UNDER 21, SELL/DELIVER c138 §34  |   |   |  |  |                          | 01/29/2010   |  |
| 2   | 272/53/I            | NOISY & DISORDERLY HOUSE, KEEP c272 §53   |   |   |  |  |                          | 01/29/2010   |  |
| DEFENSE ATTORNEY<br><i>Sussman (put - 4-14-10)</i><br><i>Parrellis</i>  |                     |   |   | OFFENSE CITY/TOWN<br><b>Somerville</b>        |  | POLICE DEPARTMENT<br><b>Somerville PD</b>                                |                          |  |  |
| DATE & JUDGE  |                     | DOCKET ENTRY  |   |   |  | DATE & JUDGE   |                          | FEES IMPOSED   |  |
| <b>FEB - 1 2010</b><br><i>FLYNN</i>   |                     | <input type="checkbox"/> Attorney appointed (SJC R. 3:10)<br><input type="checkbox"/> Atty denied & Deft. Advised per 211 D §2A<br><input type="checkbox"/> Waiver of Counsel found after colloquy<br><br>Terms of release set: <input checked="" type="checkbox"/> Bail<br><input type="checkbox"/> See Docket for special condition<br><input type="checkbox"/> Held (276 §58A) |   |   |  | Counsel Fee (211D § 2A(2)) <input type="checkbox"/> WAIVED               |                          |  |  |
|   |                     |   |   |   |  | Counsel Contribution (211D § 2) <input type="checkbox"/> WAIVED          |                          |  |  |
|   |                     |   |   |   |  | Default Warrant Fee (276 § 30(1)) <input type="checkbox"/> WAIVED        |                          |  |  |
|   |                     |   |   |   |  | Default Warrant Arrest Fee (276 § 30(2)) <input type="checkbox"/> WAIVED |                          |  |  |
| <b>FEB - 1 2010</b><br><i>FLYNN</i>   |                     | Arraigned and advised: <input checked="" type="checkbox"/> Potential of bail revocation (276 §58)<br><input type="checkbox"/> Right to bail to review (276 §58)<br><input type="checkbox"/> Right to drug exam (111E § 10)  |   |   |  | Probation Supervision Fee (276 § 87A) <input type="checkbox"/> WAIVED    |                          |  |  |
|   |                     |   |   |   |  | Bail Order Forfeited   |                          |  |  |
|   |                     | Advised of right to jury trial <input type="checkbox"/> Waiver of jury found after colloquy<br><input type="checkbox"/> Does not waive  |   |   |  |  |                          |  |  |
|   |                     | Advised of trial rights as pro se (Dist. Ct. Supp.R.4)  |   |   |  |  |                          |  |  |
|   |                     | Advised of right of appeal to Appeals Ct. (M.R. Crim P.R. 28)   |   |   |  |  |                          |  |  |
| <b>SCHEDULING HISTORY</b>   |                     |   |   |   |  |  |                          |  |  |
| NO.   | SCHEDULED DATE      | EVENT   | RESULT  |   |  | JUDGE  | TAPE START/STOP          |  |  |
| 1   | 02/01/2010          | Arraignment   | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd            |   |  | <i>3-1-10</i>  | <i>FLYNN</i>             |  |  |
| 2   | <b>MAR - 1 2010</b> | <i>PTH</i>  | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input checked="" type="checkbox"/> Cont'd |   |  | <i>5-3-10</i>  | <i>PTH 9AM Walker</i>    |  |  |
| 3   | <i>5-3-10</i>       | <i>PV</i>   | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd            |   |  |  | <i>Singh - 2nd 10:04</i> |  |  |
| 4   |                     |   | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd            |   |  |  |                          |  |  |
| 5   |                     |   | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd            |   |  |  |                          |  |  |
| 6   |                     |   | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd            |   |  |  |                          |  |  |
| 7   |                     |   | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd            |   |  |  |                          |  |  |
| 8   |                     |   | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd            |   |  |  |                          |  |  |
| 9   |                     |   | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd            |   |  |  |                          |  |  |
| 10  |                     |   | <input type="checkbox"/> Held <input type="checkbox"/> Not Held but Event Resolved <input type="checkbox"/> Cont'd            |   |  |  |                          |  |  |
| <b>APPROVED ABBREVIATIONS</b>   |                     |   |   |   |  |  |                          |  |  |
| ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review<br>SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate<br>DFTA = Defendant failed to appear & was defaulted WAR = Warrant Issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing. |                     |   |   |   |  |  |                          |  |  |
| A TRUE COPY ATTEST:   |                     | CLERK-MAGISTRATE / ASST CLERK<br><b>X</b>   |   |   |  | TOTAL NO. OF PAGES   |                          | ON (DATE)  |  |



|  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|
| <b>CRIMINAL DOCKET - OFFENSES</b>  |  |  | DEFENDANT NAME<br><b>Jonathan G Monsarrat</b>  |  | DOCKET NUMBER<br><b>1010CR000235</b>           |  |
| COUNT / OFFENSE<br><b>1 LIQUOR TO PERSON UNDER 21, SELL/DELIVER c138 §34</b>   |  |  | DISPOSITION DATE AND JUDGE<br><i>Singh 5.3.10</i>  |  |  |  |
| DISPOSITION METHOD<br><input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and 278 §29D warning<br><input type="checkbox"/> Bench Trial<br><input type="checkbox"/> Jury Trial<br><input type="checkbox"/> Dismissed upon:<br><input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim<br><input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute<br><input type="checkbox"/> Other:<br><input type="checkbox"/> Filed with Defendant's consent<br><input type="checkbox"/> Nolle Prosequi<br><input type="checkbox"/> Decriminalized (277 §70 C) |  |  | FINE/ASSESSMENT<br>HEAD INJURY ASMT<br>RESTITUTION<br>V/W ASSESSMENT   |  | SURFINE<br>COSTS<br>BATTERER'S FEE<br>OTHER    |  |
| SENTENCE OR OTHER DISPOSITION<br><input type="checkbox"/> Sufficient facts found but continued without a finding until:<br><input type="checkbox"/> Defendant placed on probation until:<br><input type="checkbox"/> Risk/Need or OUI <input type="checkbox"/> Administrative Supervision<br><input checked="" type="checkbox"/> Defendant placed on pretrial probation (276 §87) until:<br><i>8.4.10 2PM</i><br><i>50/month PSF</i><br><input type="checkbox"/> To be dismissed if court costs / restitution paid by:   |  |  |  |  |  |  |
| FINDING<br><input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty<br><input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible<br><input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause  |  |  | FINAL DISPOSITION<br><input checked="" type="checkbox"/> Dismissed on recommendation of Probation Dept.<br><input type="checkbox"/> Probation terminated: defendant discharged<br><input type="checkbox"/> Sentence or disposition revoked (see cont'd page) |  | JUDGE<br><i>FLynn</i><br>DATE<br><i>8-4-10</i> |  |
| COUNT / OFFENSE<br><b>2 NOISY &amp; DISORDERLY HOUSE, KEEP c272 §53</b>  |  |  | DISPOSITION DATE AND JUDGE<br><i>Singh 5.3.10</i>  |  |  |  |
| DISPOSITION METHOD<br><input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and 278 §29D warning<br><input type="checkbox"/> Bench Trial<br><input type="checkbox"/> Jury Trial<br><input type="checkbox"/> Dismissed upon:<br><input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim<br><input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute<br><input type="checkbox"/> Other:<br><input type="checkbox"/> Filed with Defendant's consent<br><input type="checkbox"/> Nolle Prosequi<br><input type="checkbox"/> Decriminalized (277 §70 C) |  |  | FINE/ASSESSMENT<br>HEAD INJURY ASMT<br>RESTITUTION<br>V/W ASSESSMENT   |  | SURFINE<br>COSTS<br>BATTERER'S FEE<br>OTHER    |  |
| SENTENCE OR OTHER DISPOSITION<br><input type="checkbox"/> Sufficient facts found but continued without a finding until:<br><input type="checkbox"/> Defendant placed on probation until:<br><input type="checkbox"/> Risk/Need or OUI <input type="checkbox"/> Administrative Supervision<br><input checked="" type="checkbox"/> Defendant placed on pretrial probation (276 §87) until:<br><i>8.4.10 2PM</i><br><input type="checkbox"/> To be dismissed if court costs / restitution paid by:  |  |  |  |  |  |  |
| FINDING<br><input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty<br><input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible<br><input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause  |  |  | FINAL DISPOSITION<br><input checked="" type="checkbox"/> Dismissed on recommendation of Probation Dept.<br><input type="checkbox"/> Probation terminated: defendant discharged<br><input type="checkbox"/> Sentence or disposition revoked (see cont'd page) |  | JUDGE<br><i>FLynn</i><br>DATE<br><i>8-4-10</i> |  |
| COUNT / OFFENSE  |  |  | DISPOSITION DATE AND JUDGE   |  |  |  |
| DISPOSITION METHOD<br><input type="checkbox"/> Guilty Plea or <input type="checkbox"/> Admission to Sufficient Facts accepted after colloquy and 278 §29D warning<br><input type="checkbox"/> Bench Trial<br><input type="checkbox"/> Jury Trial<br><input type="checkbox"/> Dismissed upon:<br><input type="checkbox"/> Request of Commonwealth <input type="checkbox"/> Request of Victim<br><input type="checkbox"/> Request of Defendant <input type="checkbox"/> Failure to prosecute<br><input type="checkbox"/> Other:<br><input type="checkbox"/> Filed with Defendant's consent<br><input type="checkbox"/> Nolle Prosequi<br><input type="checkbox"/> Decriminalized (277 §70 C) |  |  | FINE/ASSESSMENT<br>HEAD INJURY ASMT<br>RESTITUTION<br>V/W ASSESSMENT   |  | SURFINE<br>COSTS<br>BATTERER'S FEE<br>OTHER    |  |
| SENTENCE OR OTHER DISPOSITION<br><input type="checkbox"/> Sufficient facts found but continued without a finding until:<br><input type="checkbox"/> Defendant placed on probation until:<br><input type="checkbox"/> Risk/Need or OUI <input type="checkbox"/> Administrative Supervision<br><input type="checkbox"/> Defendant placed on pretrial probation (276 §87) until:<br><input type="checkbox"/> To be dismissed if court costs / restitution paid by:  |  |  |  |  |  |  |
| FINDING<br><input type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty<br><input type="checkbox"/> Responsible <input type="checkbox"/> Not Responsible<br><input type="checkbox"/> Probable Cause <input type="checkbox"/> No Probable Cause  |  |  | FINAL DISPOSITION<br><input type="checkbox"/> Dismissed on recommendation of Probation Dept.<br><input type="checkbox"/> Probation terminated: defendant discharged<br><input type="checkbox"/> Sentence or disposition revoked (see cont'd page)            |  | JUDGE<br>DATE                                  |  |





APPLICATION FOR  
CRIMINAL COMPLAINT

APPLICATION NO. (COURT USE ONLY)

101002 235

PAGE

1 of 1

Trial Court of Massachusetts  
District Court Department

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

- ☐ ONLY MISDEMEANOR(S), I request a hearing ☐ WITHOUT NOTICE because of an imminent threat of  
☐ BODILY INJURY ☐ COMMISSION OF A CRIME ☐ FLIGHT ☐ WITH NOTICE to accused.  
☐ ONE OR MORE FELONIES, I request a hearing ☐ WITHOUT NOTICE ☐ WITH NOTICE to accused.

☐ WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

ARREST STATUS OF ACCUSED

☒ HAS ☐ HAS NOT been arrested

## INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS

JONATHAN MONSARRAT  
197 SUMMER ST I  
SOM MA

BIRTH DATE

10/14/1968

SOCIAL SECURITY NUMBER

Redacted

PCF NO.

1892866

MARITAL STATUS

UNMARRIED

DRIVERS LICENSE NO.

STATE

GENDER

MALE

HEIGHT

603

WEIGHT

260

EYES

BLUE

BIRTH STATE OR COUNTRY

PAUTUCKET RI

DAY PHONE

HAIR

BLN

RACE

WHITE

COMPLEXION

LIGHT

SCARS/MARKS/TATTOOS

MOTHER'S MAIDEN NAME (FIRST MI LAST)

JANICE

FATHER'S NAME (FIRST MI LAST)

PETER

## CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)

PATROLMAN JONATHAN THERMIDOR

COMPLAINANT TYPE

☒ POLICE ☐ CITIZEN ☐ OTHER
PD  
SOM

ADDRESS

Somerville Police Department

PLACE OF OFFENSE

197 SUMMER ST SOMERVILLE, MA

INCIDENT REPORT NO.

10003036

OBTN

TSOE201000091

CITATION NO(S).

OFFENSE CODE

138/34

DESCRIPTION

LIQUOR TO PERSON UNDER 21, SELL, DELIVER C138 S34

OFFENSE DATE

01/29/2010 21:10:00

VARIABLES (e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual)

Redacted

OFFENSE CODE

272/53/1

DESCRIPTION

NOISY AND DISORDERLY HOUSE, KEEP C272 S53

OFFENSE DATE

01/29/2010 21:13:00

OFFENSE CODE

DESCRIPTION

OFFENSE DATE

VARIABLES

REMARKS

COMPLAINANT'S SIGNATURE

X J. Thermidor

DATE FILED

1/29/2010

COURT USE ONLY

A HEARING UPON THIS COMPLAINT APPLICATION  
WILL BE HELD AT THE ABOVE COURT ADDRESS ON

DATE OF HEARING

AT

TIME OF HEARING

COURT USE ONLY

DATE

## PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY)

CLERK/JUDGE

NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:

NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:

HEARING CONTINUED TO:

APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:

- ☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED  
☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE  
☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION

DATE

## COMPLAINT TO ISSUE

## COMPLAINT DENIED

CLERK/JUDGE

☒ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S)  
NO(S). ☐ 1. ☐ 2. ☐ 3. BASED ON

☒ FACTS SET FORTH IN ATTACHED STATEMENT(S)  
☐ TESTIMONY RECORDED: TAPE NO. \_\_\_\_\_

START NO. \_\_\_\_\_ END NO. \_\_\_\_\_

☐ WARRANT ☐ SUMMONS TO ISSUE

ARRAIGNMENT DATE: \_\_\_\_\_

☐ NO PROBABLE CAUSE FOUND  
☐ REQUEST OF COMPLAINANT  
☐ FAILURE TO PROSECUTE  
☐ AGREEMENT OF BOTH PARTIES  
☐ OTHER:  
 COMMENT

OK